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U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/566,342 Robert Jason Herr X16292

70512 Emisphere Technologies, Inc 240 Cedar Knolls Road

Suite # 200 Cedar Knolls, NJ 07927 INTERNATIONAL APPLICATION NO. PCT/US2004/024386

PRIORITY DATE I.A. FILING DATE 08/18/2004 08/20/2003

> **CONFIRMATION NO. 1828 371 ACCEPTANCE LETTER**



Date Mailed: 05/23/2008

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

01/27/2006

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS

02/20/2006

DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE. The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 01/27/2006
- Copy of the International Search Report filed on 01/27/2006
- Copy of IPE Report filed on 01/27/2006
- Preliminary Amendments filed on 01/27/2006
- Information Disclosure Statements filed on 01/27/2006
- Biochemical Sequence Diskette filed on 04/23/2008
- Oath or Declaration filed on 01/27/2006
- Biochemical Sequence Listing filed on 04/23/2008
- U.S. Basic National Fees filed on 01/27/2006
- Assignment filed on 10/01/2007
- Priority Documents filed on 01/27/2006
- Power of Attorney filed on 01/27/2006
- Specification filed on 01/27/2006
- Claims filed on 01/27/2006
- Abstracts filed on 01/27/2006
- Paper nucleotide sequence listings filed on 01/27/2006

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FORM PCT/DO/EO/903 (371 Acceptance Notice)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

BARBARA A CAMPBELL	
Telephone: (703) 308-9140 EXT 217	